



Office of the Attorney General  
State of Texas

DAN MORALES  
ATTORNEY GENERAL

February 15, 1996

Ms. Jacquelyn Middlebrooks  
Assistant City Attorney  
Criminal Law and Police Division  
City of Dallas  
Office of the City Attorney  
501 Police and Courts Building  
Dallas, Texas 75201

OR96-0195

Dear Ms. Middlebrooks:

You ask whether certain information is subject to required public disclosure pursuant to chapter 552 of the Government Code. Your request was assigned ID# 38104.

The City of Dallas (the "city") received a request for a "list of calls for service with signals 7, 7X and 14 for date: 12/28/95 and 12/29/95." You state that the requested information would identify the date and address of all reported automobile accidents within a given time period. The city contends that section 552.101 of the Government Code excepts the requested information from public disclosure. The city has submitted a sample of the information requested.<sup>1</sup>

Section 552.101 excepts from disclosure "information considered to be confidential by law, either constitutional, statutory, or by judicial decision." This section encompasses information protected by other statutes. The Seventy-fourth legislature amended article 6701d, V.T.C.S., in House Bill 391 to provide that a law enforcement agency employing a peace officer who made an accident report is required to release a copy of the report on request to, among others, a person who provides the law enforcement agency with two or more of the following: (1) the date of the accident, (2) the name of any person involved in the accident, or (3) the specific location of the

---

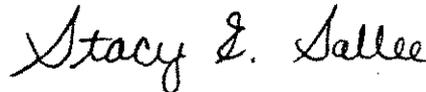
<sup>1</sup>In reaching our conclusion here, we assume that the "representative sample" of records submitted to this office is truly representative of the requested records as a whole. See Open Records Decision Nos. 499 (1988), 497 (1988). This open records letter does not reach, and therefore does not authorize the withholding of, any other requested records to the extent that those records contain substantially different types of information than that submitted to this office.

accident. Act of May 27, 1995, 74th Leg., R.S., ch. 894, § 1, 1995 Tex. Sess. Law Serv. 4413 (Vernon). This act, however, applies only to "accident reports" required by article 6701d, V.T.C.S., or article 6701h, V.T.C.S.<sup>2</sup>

Section 550.064 of the Transportation Code, formerly part of article 6701d, provides that the Texas Department of Transportation shall prepare and, upon request, supply accident report forms to suitable agencies or individuals. The statute sets out the information that must be included in those forms. Transp. Code § 550.064. Section 601.004 of the Transportation Code, formerly part of article 6701h, similarly provides for accident report forms to be prepared by the Department of Public Safety. As the "list of calls for service" does not fall within the definition of "accident reports" that are addressed in House Bill 391, this law does not apply to the requested information. Therefore, the city may not withhold the requested information under section 552.101 of the Government Code in conjunction with the new legislation regarding accident reports.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,



Stacy E. Sallee  
Assistant Attorney General  
Open Records Division

SES/ch

Ref: ID# 38104

Enclosure: Submitted document

cc: Mr. Bob Wismer  
4311 Stella Court  
Arlington, Texas 76017  
(w/o enclosure)

---

<sup>2</sup>Effective September 1, 1995, these statutes were repealed and replaced with the Transportation Code. Act of May 1, 1995, 74th Leg., R.S., ch. 165, § 24, 1995 Tex. Sess. Law Serv. 1025, 1870-71 (Vernon). The legislature did not intend a substantive change of the law but merely a recodification of existing law. *Id.* § 25, 1995 Tex. Sess. Law Serv. at 1871. As the new law took effect on September 1, 1995, we will refer to the new law in this ruling.